

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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CAPITOL RECORDS INC.,  
A Delaware corporation, et al.,

Plaintiffs,

v.

Civil File No. 06-1497 (MJD/RLE)

JAMMIE THOMAS,

Defendant.

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**AMENDED MOTION FOR PERMISSION TO FILE A BRIEF AMICI CURIAE  
OF COPYRIGHT LAW PROFESSORS IN SUPPORT OF DEFENDANT**

Amici consist of tenured and tenure-track professors at American law schools. We teach and write in the field of intellectual property law generally and copyright law in particular. We have no stake in the outcome of this case, but we are interested in assisting this Court to interpret the law in a way that is consistent with the intent of Congress as expressed in the Copyright Act. We believe that we would be able to present a clear explanation of the relevant legal principles at issue in this and other cases involving similar fact patterns. In particular, our expertise as scholars in the field of copyright law may provide some useful background in copyright law—for example, concerning the relationship between the concepts of publication and distribution—that may be of assistance to the Court in deciding this case.

The copyright professors who seek to file a brief amici curiae in this matter are as follows:

Olufunmilayo B. Arewa  
Associate Professor  
Northwestern University School of Law

Annemarie Bridy  
Associate Professor of Law  
University of Idaho College of Law

Michael W. Carroll  
Professor of Law  
Villanova University School of Law

Ralph D. Clifford  
Professor of Law  
Southern New England School of Law

Thomas F. Cotter  
Briggs & Morgan Professor of Law  
Solly Robins Distinguished Research Fellow  
University of Minnesota Law School

Jon M. Garon  
Dean and Professor of Law  
Hamline University School of Law

Stephen McJohn  
Professor of Law  
Suffolk University Law School

Tyler T. Ochoa  
Professor of Law  
High Technology Law Institute  
Santa Clara University School of Law

Malla Pollack  
Professor of Law  
Barkley School of Law

Niels B. Schaumann  
Professor of Law  
William Mitchell College of Law

Christopher Sprigman  
Associate Professor  
University of Virginia School of Law

Title and affiliations of each person are included for identification purposes only.

This amended motion has been filed in accord with the Court's Order filed June 9, 2008 extending the briefing schedule in this matter. This amended motion includes two additional law professors with copyright expertise not listed in our motion filed on June 13, 2008. The proposed amici brief of the copyright professors was filed with our motion of June 13, 2008 and is incorporated by reference herewith.

Respectfully submitted,

Date: 6/19/2008

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